

Application No. 10/070,401
Response to Office Action dated October 7, 2003

Remarks:

Applicant respectfully requests reconsideration of the restriction requirement imposed by the Examiner in the October 7, 2003 Office Action. Because this is a national phase filing from a PCT application, the applicable standard for determining whether restriction is appropriate is PCT Rule 13.1 and Patent Rules 1.475 and 1.499. See MPEP 1893.03(d). Under the unity of invention standard for such applications, which is quite different than the provisions for 35 U.S.C. §111.a. applications:

A group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature. The expression special technical features is defined as meaning those technical features that define the contribution which each claimed invention, considered as a whole, makes over the prior art. For example, a corresponding technical feature is exemplified by a key defined by certain claimed structural characteristics which correspond to the claimed features of a lock to be used with the claimed key.

MPEP 1893.03(d)

Here, the Examiner has stated that claims 1-14 of identified Group 1 "includes the special technical feature of a schematic status indications for at least one of said objects", whereas Group 2 "includes the special technical feature of a representation having a spatial location in relation to the other objects of the of the respective object is **mapped** to the spatial location of the respective represented part of said dairy farm system."

However, applicant has reprinted independent claims 1 and 15 below and indicated in bold lettering the language showing that the same special technical feature is common to both independent claims 1 and 15, shown below as amended by the Preliminary Amendment:

1. (Amended) A graphical user interface for monitoring and/or controlling a computer controlled dairy farm system or part thereof by a human user, said graphical user interface comprising a computer based graphical and schematic representation of said dairy farm system or part thereof, **wherein said representation comprises objects, each of which represents a respective part of said dairy farm system, or part thereof, and each having a spatial location in relation to the other object(s), wherein said spatial location in relation to other object(s) of the respective object is mapped to the spatial location of the respective represented part of said dairy farm system or part thereof.**

15. (Amended) A method for providing a graphical user interface for the monitoring and/or controlling of a computer controlled dairy farm system or part thereof, by a human user, comprising the step of:

- displaying a computer based graphical and schematic representation of said dairy farm system or part thereof, **where said representation comprises objects, each of which represents a respective part of said dairy farm system or part thereof, and each having a spatial location in relation to the other object(s) of the respective object is mapped to the spatial location of the respective represented part of said dairy farm system or part thereof.**

As may be seen, both of the independent claims 1 and 15 share the same common special technical feature of a representation comprising objects, each of which represents a respective part of said dairy farm system or part thereof, and each having a spatial location in relation to the other objects, and wherein the spatial location in relation to the other objects is mapped to the spatial location of the respective represented part of the dairy farm system or part thereof. Clearly this feature is common to both claims and applying the definition of special technical features as set forth in MPEP 1893.03(d), unity of invention exists. Of course, this is confirmed by the fact that unity of invention was found in the course of the International Examination process.

Applicant thus respectfully requests reconsideration and withdrawal of the restriction requirement.

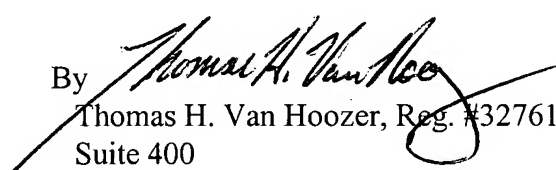
As provided by Patent Rule 1.143, applicant has nonetheless provisionally elected Group 1, (claims 1-14), with traverse.

Applicant believes that in view of the favorable International Preliminary Examination Report, a Notice of Allowance is in order and such is courteously requested. Should the Examiner have any additional questions which may be resolved by a telephone conference, they may be directed to the undersigned at 1-800-445-3460. Any additional fees necessitated by this response may be directed to the undersigned at 1-800-445-3460.

Respectfully submitted,

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